

February 17, 2010

Beachwood Municipal Complex
1600 Pinewald Rd.

7:00 PM

Call to Order

Flag Salute

While we pray for the safe return of our serving men and women, we must remember that 108 servicemen and women from New Jersey have been killed in Iraq and Afghanistan

Our war dead must always be remembered. Their Heroism deserves its glory, so too does the bravery of each who entered the unknown of conflict and gave their lives to the cause of Freedom.

The greatest tribute we can give is remembering our Honored Dead. In their memory, a moment of silence and a prayer for all our disabled vets and those missing in action and the swift return of all our serving men and women.

OPENING STATEMENT: Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this meeting of Mayor and Council of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board, located in the Municipal Complex and delivered to the Asbury Park Press on January 7, 2010.

ROLL CALL MEMBERS PRESENT:

Mayor Ronald W. Jones, Jr.

COUNCILMEMBERS:	Katina L. Clark	Steven Komsa
	Beverly Clayton	Ronald Roma
	Gregory Feeney	Bonnie Verga

ABSENT:

A total of 10 minutes has been allocated under Borough Code 2-6.9 for the public discussion by individuals. Citizens are welcome to address the Mayor and Council on any governmental item of concern to them, whether or not it is scheduled on the agenda. Citizens must give their name and address when recognized to speak. The public is advised that these meetings are recorded and are subject to the Open Public Records Act.

Also, please turn off or put all cell phones on vibrate.

Absent:

#2010- 79 Mayor's appointment - Patricia Barndt, to appoint Patricia Barndt to fill the vacancy of Brendan Gallagher – Shade Tree Committee, expiring on 12/31/2011

NO ACTION TAKEN

#2010-80 Mayor's Appointment to Planning Board (Mayors' Alternate) and Appointment to fill vacancy on Recreation (William Knapp)

RESOLUTIONS

#2010-81 RESOLVED by Council to approve the 2010 Certified Bills List in the amount of \$ 1,955,582.79

Motion: Clayton Second: Komsa
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

#2010-82 RESOLVED by Council to approve the minutes of the January 29, 2010 Special Block Grant Second Hearing meeting of the Governing Body of the Borough of Beachwood.

Motion: Feeney Second: Clark
Approved: Clark – Feeney – Komsa - Verga
Abstain: Clayton - Roma Absent:

#2010-83 RESOLVED by Council to approve the minutes of the February 3, 2010 meeting of the Governing Body of the Borough of Beachwood.

Motion: Roma Second: Clayton
Approved: Clayton – Feeney – Komsa – Roma - Verga Opposed: Clark
Abstain: Absent:

#2010-84 RESOLVED by Council to approve the Community Center Rentals as follows:

<u>2010 COMMUNITY CENTER</u>				
Feb.	14	Fisher (Felton Repast)	Rental:	\$350
		944 Beachwood Blvd.	Deposit:	\$500
May.	23	Worth	Rental:	\$350
		432 Pacific Ave. Beachwood	Deposit:	\$500

Motion: Clayton Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

#2010-85 **A RESOLUTION OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE COUNTY OF OCEAN PURSUANT TO N.J.S.A. 40a:65-1 ET SEQ, FOR 911 EMERGENCY TELECOMMUNICATIONS SERVICES.**

WHEREAS, pursuant to N.J.A.C. 17:24-6.1 the County is required to coordinate the implementation and operation of 911 activities within the County in accordance with the Emergency Telecommunications Services Act (hereinafter "Act"), N.J.S.A. 52:1 7C-1 et seq., and the rules promulgated pursuant thereto; and

WHEREAS, pursuant to N.J.A.C. 17:24-6.2, the Office of Emergency Telecommunications Services in the Department of Law and Public Safety; has previously approved the County's 911 Emergency Telecommunications Plan; and

WHEREAS, the County has offered to all municipalities an opportunity to participate in the County's enhanced 911 Emergency Telecommunications Program; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65- 1 et seq., authorizes local units as defined in said Act to enter into joint agreements for the provision of governmental services; and

WHEREAS, the Borough of Beachwood wishes to enter into an agreement with the County of Ocean for the provision of 911 Emergency Telecommunications Services; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Beachwood in the County of Ocean, State of New Jersey, as follows:

1. The Mayor and Municipal Clerk of the Borough of Beachwood are hereby authorized and directed to enter into and execute a Shared Services Agreement with the County of Ocean for the provision of 911 Emergency Telecommunication Services as more specifically set forth therein.
2. A copy of that agreement is on file and available for public inspection at Beachwood Municipal Clerks' Office.

Motion: Clayton Second: Komsa
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

#2010-86 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and the County of Ocean, Prosecutor's Office for Driving While Intoxicated Enforcement Program; and

FURTHER RESOLVED that the Mayor and Clerk are authorized to execute the agreement on behalf of the Borough of Beachwood.

Motion: Feeney Second: Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

#2010-87 RESOLVED by Mayor and Council to approve the Borough's continued participation in the Shared Services Project for PARIS grant funding for the 2010/2011 time frame; and

FURTHER RESOLVED, that the Municipal Clerk is authorized and directed to execute any agreements on behalf of the Borough for this project.

Motion: Clayton Second: Clark
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

#2010-88 WHEREAS, a payment of \$39.75 was erroneously posted to Block 4.15 Lot 1 (Acct. #1569-1) owned by Fred Weideke; and

WHEREAS, (there are multiple units) the payment should have been applied to Block 4.51 Lot 1 (Acct. #1569-0).

NOW, THEREFORE BE IT RESOLVED TO Credit account #1569-0 in the amount of \$39.75

Motion: Clayton Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

#2010-89 WHEREAS, a payment of \$139.65 was erroneously posted to Block 4.01 Lot 1 owned by Silvio M. Silvi (Acct. # 10000001-0) and

WHEREAS, (there are multiple units) the payment should have been applied to Block 4.01 Lot 1 (Acct. #10000001-1).

NOW, THEREFORE BE IT RESOLVED TO Credit account #10000001-1 in the amount of \$139.65

Motion: Clayton Second: Roma
 Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
 Abstain: Absent:

#2010-90 RESOLVED by Mayor and Council to approve the following requests for Conference – Training - Seminar

Feb. 23	Fire Co.	Megan Dougherty - Elevator Emergencies	O.C.F.A	\$ 0	Vehicle
Feb. 24	NJLM -	Mayor Jones	Mayors Legislative Day	\$25.00	No Vehicle
Feb. 27	Fire Co.	Kevin Hrudowski	Myths of Firefighting Foam – OCFA	\$0	Vehicle
Mar. 11	Adm/Exec	E. Mastropasqua/G. Feeney –	OCJIF – Insurance Safety	\$0	No Vehicle
Mar. 15	Fire Co.	Megan Dougherty	Flashover Training	\$0	Vehicle
Mar. 16	Fire Co.	Dominick Roselli	Drive to Survive (Stafford)	\$30.00	Vehicle
Mar. 27	Fire Co.	Kevin Hrudowski	Aircraft Emergencies – OCFA	\$0	Vehicle
Apr. 07	Registrar(s)	Liz Sarantinoudis/B. Boud (Registrars Meeting)	\$15 @	No Vehicle
Apr. 13 – 15	Fire Co.	K. Davison – M. Robillard – M. Dougherty – R. Risk – C. Davis			Vehicle
			OCFA ; Art of Reading Smoke		
Apr. 21	Police	W. Oldham – R. Tapp – W. Cairns		\$40@	Vehicle
			NJ Bias Crimes Offers Conference		
Apr. 21	Fire Co.	M. Robillard – H. Kopenhafer	(Flashover Training)	\$0	Vehicle
Apr. 24	Fire Co.	M. Dougherty	Rules of Air Management	\$0	Vehicle
Apr. 27	Fire Co.	T. Androvett	OCFA – Flash Over Training	\$0	Vehicle
May 13-15	Fire Co.	W. Wojcik / K. Hrudowsky –	Advanced Extrication OCFA	\$0	Vehicle
May 13	Fire Co.	C. Davis	OCFA – Flashover Training	\$0	Vehicle

Motion: Clayton Second: Clark
 Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
 Abstain: Absent:

TAX COLLECTOR:
#2010-91

**RESOLUTIONS
AUTHORIZE REFUND OF REDEMPTION MONIES TO LIEN HOLDERS FOR
TAX SALE CERTIFICATES 09-00001, 09-00005, 09-00009, 09-00014 ,09-00016, 09-
00018, 09-00020, 09-00043**

WHEREAS, at the Municipal Tax Sale held on December 17th, 2009, tax sale certificates were sold for 2008 delinquent municipal charges, and;

WHEREAS, the following liens have been redeemed by BAC Tax Services on behalf of the property owners:

1. Block 1.02 Lot 4; Stelevich 09-00001 in the amount of \$451.30 to lien holder Josef Hoffmann
2. Block 1.42 Lot 9; Severin 09-00005 in the amount of \$332.07 to lien holder Daxuan Wang
3. Block 2.28 Lot 13; Sansone 09-00009 in the amount of \$547.16 to lien holder ProCapital, LLC
4. Block 2.42 Lot 14; Muthoni 09-00014 in the amount of \$724.23 to lien holder Daxuan Wang
5. Block 3.21 Lot 6; Luff 09-00016 in the amount of \$582.92 to lien holder CCTS Capital, LLC
6. Block 4.16 Lot 9; Gwinn 09-00018 in the amount of \$1,084.55 to lien holder; ProCapital, LLC
7. Block 4.45 Lot 12; Florio 09-00020 in the amount of \$704.80 to lien holder; N or D Remick
8. Block 11.11 Lot 2; Pangallo 09-00043 in the amount of \$398.99 to lien holder Daxuan Wang

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund each lien holder for the redemption of their respective certificates in the amounts indicated

Motion:	Clark	Second:	Feeney
Approved:	Clark – Clayton – Feeney – Komsa – Roma - Verga		
Abstain:		Absent:	

**#2010-92 AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #09-00012 TO LIEN
HOLDER SOHEHA IN THE AMOUNT OF \$ 362.50**

WHEREAS, at the Municipal Tax Sale held on December 11, 2009, a lien was sold on Block 2.30 Lot 5, also known as 111 Seaman Avenue for 2008 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00012, was sold to Soheha with a 6% interest rate; and,

WHEREAS, GMAC Mortgage effected redemption on behalf of property owners, Francis Kappes for certificate # 09-00012 in the amount of \$362.50.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Soheha for the redemption of certificate 09-00012 in the amount of \$362.50

Motion:	Clayton	Second:	Komsa
Approved:	Clark – Clayton – Feeney – Komsa – Roma - Verga		
Abstain:		Absent:	

#2010-93

REFUND OVERPAYMENT OF PROPERTY TAXES CAUSED BY THE DISABLED PERSON DEDUCTION APPLIED TO BLOCK 2.43 LOT 2 FOR PATRICIA BARNDT IN THE AMOUNT OF \$250.00

WHEREAS, property owner Patricia Barndt, submitted application for a property tax deduction in the amount of \$250.00, based on her disabled person status; and,

WHEREAS, The Municipal Tax Assessor, approved this application and granted the deduction for the tax year 2009; and,

WHEREAS, the deduction applied to Ms. Barndt’s account created an overpayment of \$250.00 because the 2009 taxes had previously been paid in full.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to issue a refund to Wendy Higgins in the amount of \$250.00 for the overpayment created by his newly awarded Disabled Person Deduction.

Motion: Clayton Second: Komsa
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

#2010-94

AUTHORIZE REFUND OF REDEMPTION MONIES TO LIEN HOLDERS FOR TAX SALE CERTIFICATES 07-010, 07-011, 07-012, 07-015 ,07-024, 07-025, 07-00008, 09-00008, 09-00011 ALL PLACED ON PROPERTIES ASSESSED TO FRANCIS CLANCY.

WHEREAS, at the Municipal Tax Sales held in 2007, 2008 & 2009, tax sale certificates were sold for prior year delinquent municipal charges, and,;

WHEREAS, the following liens have been redeemed by Investors Savings Bank on behalf of property owner, Francis Clancy:

1. 07-010 in the amount of \$68,640.94- Lien holder US Bank-Cust/Sass Muni dtr V
2. 07-011 in the amount of \$7,910.64- Lien holder N or D Remick
3. 07-012 in the amount of \$13,978.48- Lien holder Singh Real Estate
4. 07-015 in the amount of \$20,563.74- Lien holder Independent Investors
5. 07-024 in the amount of \$72,492.40- Lien holder Crusader Lien Services
6. 07-025 in the amount of \$25,249.42- Lien holder CCTS Tax Liens I, LLC
7. 07-00008 in the amount of \$6,925.98- Lien holder N or D Remick
8. 09-00008 in the amount of \$6,298.52- Lien holder N or D Remick
9. 09-00011 in the amount of \$ 4,024.13- Lien holder Independent Investors

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund each lien holder for the redemption of their respective certificates in the amounts indicated

Motion: Clayton Second: Roma
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

#2010-95

AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #09-00036 TO LIEN HOLDER SOHEHA IN THE AMOUNT OF \$ 330.44

WHEREAS, at the Municipal Tax Sale held on December 11, 2009, a lien was sold on Block 10.15 Lot 9, also known as 19 Elm Street for 2008 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #09-00036, was sold to Soheha with a 13% interest rate; and,

WHEREAS, GMAC Mortgage effected redemption on behalf of property owners, Francis Kappes for certificate # 09-00036 in the amount of \$330.44.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey to refund lien holder, Soheha for the redemption of certificate 09-00036 in the amount of \$330.44

Motion: Clayton Second: Feeney
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

CORRESPONDENCE

None

REPORTS:

Mayor Jones No report

Councilmembers

K. Clark No report

B. Clayton Fireworks bids opened this date. Only received two. In Attorney review at this time. Community Center will be closed for upkeep for 4 weeks. New deck and awning being addressed. Will have to do some landscaping when done. DPW, through these snow storm, have done a terrific job. Water department addressing main breaks in this cold weather. Thanks to all.

G. Feeney Commend DPW for the amount of work done around town. Did better job than some of the county. All of Emergency services and employees did us proud in storm. Fencing bids received this date for all parks and playgrounds.

S. Komsa Thanked DPW for job well done. Snow man contest has plenty of material to work with. Deadline March 10 and awards March 17. Egg Hunt on March 28th.

R. Roma Echoed all comments on DPW. Did excellent job considering all they were up against. Expensive storm for the children. Costing them days added to calendar year. Actual financial impact to town approaching \$48,000 on snow removal and they are calling for more snow next week. We can't take much more of this financially. Each year we try to add to the "snow fund" **(Mr. Feeney** we were able to build the trust to handle "snowy days" and will have to rebuild)
Mr. Roma – Finance on top of all of this. With closing of Community Center for upgrading no Alliance Dance, next one is April.

B. Verga Echoed all comments on wonderful job done by DPW.

CLOSE TO PUBLIC DISCUSSION

Motion: Clayton Second: Roma
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Abstain: Absent:

EXECUTIVE SESSION

WHEREAS, SECTION 8 of the Open Public Meetings Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter.

2. The general nature of the subject matter to be discussed is as follows:

Terms & Condition of Employment - Update on proposed changes in offices
Contractual - Professional Services

3. It is anticipated that the subject matter discussed may be made public in (90) days.

Motion: Roma Second: Clayton
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Abstain: Absent:

Re-Open

Motion: Clayton Second: Roma
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Abstain: Absent:

ACTION TAKEN AS A RESULT OF EXECUTIVE SESSION

#2010 - 96 RESOLVED by Mayor and Council to approve the 2010 Professional Service Contracts as submitted and to authorize the Mayor and Clerk to execute on behalf of the Borough of Beachwood.

Motion: Clayton Second: Roma
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Abstain: Absent:

ADJOURN

Motion: Roma Second: Komsa
Approved: Clark - Clayton - Feeney - Komsa - Roma - Verga
Abstain: Absent:

Submitted by: E.A. Mastropasqua

Ronald W. Jones, Jr.
Mayor

Attested to by: Elizabeth A. Mastropasqua RMC
Municipal Clerk